



Order Filed on May 23, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**Caption in Compliance with
D.N.J.LBR 9004-1**

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Corporation as servicer for Nissan-Infiniti LT

In re:

Rosa Peters and
Mark W Peters

Debtors.

Chapter: 13

Case No.: 21-15798-CMG

Hearing Date: May 18, 2022

Judge Christine M. Gravelle

CONSENT ORDER RESOLVING CERTIFICATION OF DEFAULT

The relief set forth on the following pages is hereby **ORDERED**.

DATED: May 23, 2022

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Debtors: Rosa Peters and Mark W. Peters
Case No.: 21-15798-CMG
Caption of Order: **CONSENT ORDER RESOLVING CERTIFICATION OF
DEFAULT**

THIS MATTER having been opened to the Court upon the Certification of Default (“COD”) filed by Nissan Motor Acceptance Corporation as servicer for Nissan-Infiniti LT (“Creditor”), and whereas the post-petition arrearage was \$1,929.45 as of May 16, 2022, and whereas the Debtor and Creditor seek to resolve the Motion, it is hereby **ORDERED**:

1. The automatic stay provided under 11 U.S.C. §362(a) shall remain in effect as to Movant’s interest in the following property: **2020 Nissan Murano; VIN: 5N1AZ2BS6LN110171** provided that the Debtors comply with the following:

- a. On or before May 27, 2022, the Debtor shall file a modified plan providing for the curing and payment in full of the pre-petition arrearage, as well as the post-petition arrearage in the amount of \$1,929.45, as well as all other amounts due on the underlying loan;
 - b. In addition to the above, the Debtor shall resume making the regular monthly payments to Creditor as they become due beginning with the June 2, 2022 payment; and
 - c. Remain current on all post-petition payment obligations, as well as all payments being paid through the Chapter 13 Plan.
2. All direct payments due hereunder not otherwise paid by electronic means and/or automatic draft, shall be sent directly to Creditor at the following address: **Nissan Motor Acceptance Corporation, P.O. Box 660366, Dallas, Texas 75266-0366.**

3. If a modified plan is not filed on or before the date in Paragraph 1(a), this Order shall be deemed to grant Creditor immediate relief from the automatic stay under section 362 of

the Bankruptcy Code to proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies with respect to the Property.

4. If the Debtor files the modified plan in the manner described in Paragraph 1(a) but subsequently fails to pay either the arrears and/or the contractual payments due to Creditor, and the Debtor fails to cure the payment default within thirty (30) days from the date of default, Creditor shall submit an Application for entry of an order lifting the automatic stay imposed under 11 U.S.C. § 362(a) noting the default and permitting Creditor to exercise any rights under the loan documents with respect to the Property.

5. Notwithstanding the above, the automatic stay shall terminate as to Creditor's rights in the Property on February 2, 2023 due to the maturity of the underlying lease.

6. Creditor is awarded reimbursement of attorney fees in the amount of \$250.00 to be paid through the Chapter 13 Plan.

STIPULATED AND AGREED:

/s/ Candyce Ilene Smith-Sklar
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